

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

§
Pinchas SHALEV et al.

Serial No.: 10/533,747

Filed: November 9, 2006

§ Group Art Unit: 3724

For: SHAVER WITH HAIR
PREHEATING

§ Attorney Docket: 35745

Examiner: PATEL, Bharat C.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF DR. PAUL FENSTER UNDER 37 CFR 1.131

I, Dr. Paul Fenster of Petach Tikva, Israel hereby declare:

1. I was a founder of Fenster & Company, Intellectual Property, Ltd. which was located in Israel and which prepared the present application.
2. Fenster and Company merged with Ehrlich & Partners and is now named Ehrlich & Fenster, Patent Attorneys. The combined firm is one of the three largest firms of Patent Attorneys in Israel. The firms merged in December 2006. Israel is a member country of the WTO.
3. During 2002 and 2003, the following patent applications were prepared by my firm:
 - PCT International Patent Application No. IL03/00219 filed on March 13, 2003 from which the present application is a continuation-in-part of;

- PCT International Patent Application No. IL03/00220 filed on March 13, 2003 from which the present application is a continuation-in-part of; and
- PCT International Patent Application No. IL03/00221 filed on March 13, 2003 from which the present application is a continuation-in-part of.

4. The above listed PCT applications (hereinafter "**the PCT applications**") all comprise the same disclosure and figures and differ only in their claims.
5. The preparation of the PCT applications was diligently pursued at my firm from before February 6, 2003 and until March 13, 2003, when the PCT patent applications were filed.
6. As evidence thereof, attached and marked Annex A is a list of charges of patent practitioners as appearing in the database of Fenster & Company for the above listed PCT applications. The patent agents and associates involved in preparing the PCT applications are Dr. Yosef Freedland (YF in Annex A), Maier Fenster (MF in Annex A) and myself (PF in Annex A).
7. As shown in the list of charges of Annex A, there was an ongoing preparation of the PCT applications, between December 9, 2002 and March 13, 2003 when the PCT applications were filed.
8. Further attached, and marked Annex B, is a draft of the summary of invention chapter of the PCT applications as prepared and saved by Dr. Yosef Freedland on December 24, 2002. As evidence thereof, Annex C, is attached which shows the file particulars of the word document. The date the document was last modified is December 24, 2002.
9. The document is indicated as having been created on January 29, 2007. This is due to the transfer of the documents from the Fenster & Company database to the Ehrlich and Fenster database, which occurred shortly after the merger in December 2006. Obviously, the document was created before December 24, 2002 when it was last modified. In Windows when a

document is transferred, it receives a new creation date, with the modification date remaining unchanged.

10. The document in Annex B shows that the first stages of the draft of the application included a motion detector, see for example page 1, fifth paragraph.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Paul Fenster

Dr. Paul Fenster
Reg. No. 33,877

24 May 2010

Date

Encl.:

Annex A – Annex C.